

## REMARKS

By the above amendment, the specification has been amended to update the patented status of the parent application, claim 1 has been canceled without prejudice or disclaimer of the subject matter thereof with claims 3 and 10 being written in independent form incorporating the features of parent claim 1 therein, and other claims amended to depend from claims 3 and 10. Additionally, claim 14 has been amended to incorporate a portion of the features of dependent claim 15 therein in revised form, with the incorporated features being deleted from claim 15. Furthermore, claim 19 has been amended to correct informalities therein.

As to the rejection of claims 1 - 20 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 - 37 of US Patent No. 6,753,880, which is the parent patent of this continuing application, as recognized by the Examiner, such rejection can be overcome by the filing of a Terminal Disclaimer. Without acquiescing in the propriety of the non-statutory obviousness-type double patenting rejection as set forth, recognizing that claim 1 has been canceled by the present amendment, in order to expedite issuance of this application, submitted herewith is a Terminal Disclaimer and the appropriate fee therefor. As such, applicants submit that this ground of rejection should now be overcome.

As to the rejection of claims 1-2 and 12-13 under 35 USC 103(a) as being unpatentable over Isami et al (US Patent No. 6,166,725) in view of Yokouchi et al (US Patent 5,323,171) and the rejection of claims 14 and 16 - 19 under 35 USC 103(a) as being unpatentable over Isami et al (US Patent No. 6,166,725) in view of Cuciurean-Zapan et al (US Patent No. 6,343,159); such rejections are traversed

insofar as it is applicable to the present claims and reconsideration and withdrawal of the rejections are respectfully requested.

At the outset, applicants note that claims 3 - 11, 15 and 20 do not stand rejected over the cited art, noting that the rejection of the aforementioned claims on the ground of non-statutory obviousness-type double patenting has been overcome by the submission of the Terminal Disclaimer.

By the present amendment, claims 3 and 10 which depended directly from claim 1 have been rewritten in independent form incorporating the features of claim 1 therein such that applicants submit that claims 3 and 10, as apparently recognized by the Examiner patentably distinguish over the cited art and should now be in condition for allowance. Claim 2 has been amended to depend from claim 10 such that claim 2, as amended, and claims 4 - 9 which depend directly or indirectly from claim 3 should be considered allowable therewith. Likewise, claim 10 should be in condition for allowance and by the present amendment, claims 12 and 13 have also been amended to depend from claim 10 such that claims 11 - 13 now depend from claim 10 and should be considered allowable therewith.

With respect to claim 15, which claim is also not rejected over the cited art, by the present amendment, features of claim 15, as amended of "a detection circuit for detecting a quantity of current of each of gray-scale voltages to be applied to the display panel, and calculating a frequency of each of the gray-scale voltages based on the quantity of current of each of the gray-scale voltages; and a histogram memory for storing a frequency of each of the gray-scale voltages" has been incorporated into claim 14. Applicants submit that the aforementioned features of claim 15 are not disclosed or taught by Isami et al or Cuciurean-Zapan et al in the sense of 35 USC 103, when considered alone or in combination, as apparently

recognized by the Examiner. Accordingly, applicants submit that claim 14, as amended, patentably distinguishes over the cited art and should be considered allowable thereover.

Furthermore, by the present amendment, the remaining feature of claim 15, which have not been incorporated into claim 14, have been retained, which recite further features of the detection circuit and the gray-scale voltage generation circuit, and which when considered in conjunction with claim 14, as amended, further patentably distinguishes over the cited art. Since claims 16 - 20 depend directly or indirectly from claim 14, as amended, applicants submit that such claims recite further features, which patentably distinguish over the cited art, such that claim 14 and its dependent claims should also be considered allowable at this time. Thus, applicants submit that claims 14 - 20 patentably distinguish over the combination of Isami et al and Caciurean-Zapan et al in the sense of 35 USC 103 as recognized by the Examiner.

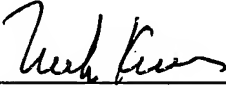
In view of the above amendments and remarks and the submission of the Terminal Disclaimer, applicants submit that claims 2 - 20, as now present in this application, patentably distinguish over the cited art and should be in condition for allowance. Accordingly, issuance of an action of favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli,

Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.40682CX1),  
and please credit any excess fees to such deposit account.

Respectfully submitted,

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